605 - 241 DAC #5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: APPLICATION OF ARNOLD FOGEL

SERIAL NO.: 08/154,562

FOR: DERMATOLOGICAL COMPOSITIONS USING A SERIES OF UNUSUALLY SAFE ESTERS AS COSMETIC EMOLLIENTS WITH UNIQUE AND IDEAL PHYSICAL PROPERTIES AS A CIP OF APPLICATION NUMBER 07/806,927 FILED DECEMBER 11, 1991.

FILED: NOVEMBER 19, 1993 **FILE NO.:** 90038B

EXAMINER: JOSE G. DEES 1200

PETITION TO REVIVE ABANDONED APPLICATION

Honorable Commissioner of Patents and Trademarks
Box DAC
Washington, D.C. 20211

ATTN: Deputy Assistant Commissioner
of Patents
Crystal Park Two
Suite 913

Applicant respectfully submits that the delay in timely filing of the response to the Office Action dated April 6, 1994 was due to illness of the attorney.

Applicant is now acting within the time limitations of 37 CFR 1.137(b) to remedy the situation. Attorney for Applicant states without hesitation that the abandonment was **UNINTENTIONAL.**

Enclosed herewith is a check for $605.00, the required fees for the petition and the answer to the office action as per my conversation with Examiner Jose G. Dees on March 16, 1995.

Applicant respectfully requests the Petition to Revive be Granted.

The undersigned is aware that willful false statements are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such false statements may jeopardize the validity of the application and that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

Respectfully submitted,

ANTHONY D. CIPOLLONE
U.S. Patent Attorney
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333 Sylvan Avenue
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(201) 816-8001

Shell Chemical Company
A Division of Shell Oil Company

Put A or B'

CERTIFICATE OF TANK ANALYSIS
SHELL CHEMICAL COMPANY - SEWAREN, NJ.
08/27/91 15:40

PROD# 38000 ORD# 198176 SOR# TANK# TANK C127

TR METRO CHEMICALS, INC
343 S. BROAD AVE
RIDGEFIELD NJ 07657

PRODUCT - NEODOL 25

PROPERTY	UNIT OF MEASURE	ANALYSIS
COLOR,PT-CO		5
WATER CONTENT,%W	%WT	0.02
HYDROXYL NUMBER		273
MOLECULAR WEIGHT		204
IODINE NO. G/100G	G/100G	0.1
ACID VALUE,EQ/1000	E/100G	0.0009
HYDROCARBON,%W	%WT	0.09
CARBONYL,PPM,C=O	PPM	49

I HEREBY CERTIFY THAT THE ABOVE ANALYSIS IS CORRECT AND REPRESENTS THE ABOVE LOT, AND THAT THE MATERIAL MEETS THE SHELL SPECIFICATIONS FOR NEODOL 25

J.R. PERRY
~~SUPERVISOR, LABORATORY~~

PRODUCT - NEODOL 25

PROPERTY	UNIT OF MEASURE	ANALYSIS
COLOR,PT-CO		5
WATER CONTENT,%W	%WT	0.02
HYDROXYL NUMBER		273
MOLECULAR WEIGHT		204
IODINE NO. G/100G	G/100G	0.1
ACID VALUE,EQ/100G	E/100G	0.0029
HYDROCARBON,%W	%WT	0.09
CARBONYL,PPM,C=O	PPM	49

DRY SKIN LOTION

TECHNICAL BULLETIN

PHASE A (45°C):	
Water, deionized	58.25
PHASE B (45°C) (Disperse First):	
Hetester® PHA	9.00
(1) Pemulen® TR-2	0.30
Then add remaining ingredients of Phase B:	
Elefac® I-205	4.50
Marrix® SF	4.50
CUPL® PIC (40°C)	2.00
(2) Dow Corning Volatile Silicone 344	9.00
PHASE C: (Dissolve)	
Water, deionized	1.26
Triethanolamine -- 99%	0.24
PHASE D: (Disperse)	
Water, deionized	9.80
(3) Keltrol®	0.10
PHASE E:	
(4) Germaben® IIE	1.00
PHASE F:	
Disodium EDTA	0.05
	100.00% TOTAL

PROCEDURE: Add entire Phase B to Phase A; mix well; next add Phase C and mix. Add Phases D, E and F -- mixing after each addition. Cool to 30°.

Based on these results the following batches were prepared.

DIISOCETYL FUMARATE (SOLVENT FREE)

fumaric acid	122.0 g	(1.05)
Exxal 16	500.0 g	(2.0)
p-toluenesulfonic acid	1.4 g	0.2%
hypophosphoric acid	1.4 g	0.2%

The above materials are heated slowly to 130-155oC under a nitrogen sparge. There is some initial foaming which is controlled by the rate of addition and the rate of agitation. After about half of the water is removed, foaming is no longer a problem.

Water removed: 32 g

A. V. of crude 15.9

A second identical batch was prepared using the same quantities.

Water removed: 33 g

A.V. of crude 10

Both batches were combined and neutralized with the required amount of sodium hydroxide.
Addition of caustic produces a thick emulsion which requires the addition of salt to separate. This separation is very difficult to see. Care is required. Each wash results in the same problem and salt is required. even when the oil is neutral there are still solids suspended in the oil phase. this neutralized product containing the solids is dried at 100oC and 55 mm until all the water has been removed. The resulting product is cooled to room temperature and filtered.

Analysis:

A.V. = 0.5

O.H. = 5.56

S.U. = 184.8

DIISOCETYL FUMARATE (toluene method)

Two batches were prepared using the method described in the first report.

Analysis:

A.V. = 0.26

O.H. = 12.8

S.U. = 180.5

It can be seen that the ratio used in reaction #3 gives the greatest amount of ester.